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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
NORTHERN CALIFORNIA - SAN JOSE DIVISION**

TABIA LEE,

Plaintiff,

vs.

THE FOOTHILL-DE ANZA COMMUNITY
COLLEGE DISTRICT, DE ANZA
COMMUNITY COLLEGE, LLOYD A.
HOLMES, in his official and individual
capacity; PATRICK J. AHRENS, LAURA
CASAS, PEARL CHENG, PETER
LANDSBERGER, GILBERT WONG in their
official capacity; AND ALICIA CORTEZ,
THOMAS RAY, CHRISTINA ESPINOSA-
PIEB, AND LYDIA HEARN in their
individual and official capacity,

Defendants.

Case No.: 5:23-CV-03418-PCP

**PLAINTIFF'S STATEMENT OF RECENT
DECISION RELEVANT TO
DEFENDANTS' MOTION TO DISMISS**

PLAINTIFF'S STATEMENT OF RECENT DECISION RELEVANT TO DEFENDANTS' MOTION TO
DISMISS - i | CASE NO. 5:23-CV-03418-SVK HIM

STATEMENT OF RECENT DECISION

Pursuant to Local Civil Rule 7-3(d)(2), Plaintiff Tabia Lee respectfully submits to this court this Statement of Recent Decision identifying *De Piero v. Pa. State Univ.*, No. 23-2281, 2024 U.S. Dist. LEXIS 5768 (E.D. Pa. Jan. 10, 2024) as persuasive authority. A true and correct copy is attached. In *De Piero*, which was filed after briefing was completed on Defendants' Motion to Dismiss First Amended Complaint, ECF No. 34 (including Plaintiff's Opposition to Defendants' Motion to Dismiss, ECF No. 42, and Defendant's Reply in Support of Motion to Dismiss, ECF No. 44), District Court Judge Wendy Beetlestone denied Penn State University's motion to dismiss with regard to Plaintiff's claim of hostile work environment harassment under Title VII of the Civil Rights Act of 1964.

On January 10, 2024, this Court vacated the originally schedule motion hearing, indicating that it would issue a written ruling based on the motion and briefs.

DATED: February 5, 2024

Respectfully submitted,

/s/ Michael Thad Allen

Michael Thad Allen

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/s/ Neal S. Zaslavsky

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For Plaintiff

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